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 KAMREE MILLER

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

KAMREE MILLER,	) Case No. 4:18-cv-07323
	)
Plaintiff,	) <b>COMPLAINT FOR DAMAGES AND</b>
	) <b>INJUNCTIVE RELIEF</b>
vs.	)
	)
FRANK MERANDA, Patrol Officer for	)
California Highway Patrol; KEERAT	)
LAL, Sergeant for California Highway	)
Patrol,	)
	)
Defendants.	)

**INTRODUCTION**

1. Kamree Miller, a mother and resident of Brentwood, California, was subject to stalking and harassment, including harassment of a sexually explicit nature, by California Highway Patrol Officer Frank Meranda for more than three years.

2. Officer Meranda's supervisor, Sergeant Keerat Lal, ratified Officer Meranda's actions and participated in additional harassment of Ms. Miller and her boyfriend in July of 2017.

1           3.     Both officers used California Highway Patrol resources including official  
2 emails, phones and license plate search technology and their positions as sworn law  
3 enforcement officers to harass and stalk Ms. Miller. Their harassment and stalking of  
4 Ms. Miller was continuous beginning in 2015 and only ended once Ms. Miller's  
5 attorneys contacted Sergeant Lal.

6           4.     Ms. Miller seeks compensation for her anguish and injunctive relief  
7 against the officers involved.

#### 8                                   **JURISDICTION AND VENUE**

9           5.     This Court has jurisdiction over plaintiff's claims pursuant to 28 U.S.C. §  
10 1331 (claims arising under the U.S. Constitution) and § 1343(a)(3) (claims brought to  
11 address deprivations, under color of state authority, of rights, privileges, and  
12 immunities secured by the U.S. Constitution), and 42 U.S.C. § 1983.

13          6.     The state law claims in this action are so related to claims in the action  
14 within original jurisdiction that they form part of the same case or controversy under  
15 Article III of the United States Constitution. The Court's jurisdiction over these claims is  
16 invoked under 28 U.S.C. § 1367.

17          7.     Venue is proper in the United State District Court for the Northern  
18 District of California pursuant to 28 U.S.C. § 1391(b)(1) because the defendants are  
19 located in the Northern District of California and § 1391(b)(2) because all of the acts  
20 and/or omissions complained of herein occurred within the Northern District of  
21 California.

#### 22                                   **PARTIES**

23          8.     At all times relevant hereto, plaintiff Kamree Miller was a resident of  
24 Brentwood, California.

25          9.     At all times relevant hereto, defendant Frank Meranda was a sworn law  
26 enforcement officer employed by the California Highway Patrol. He is sued in his  
27 individual and official capacities.  
28

10. At all times relevant hereto, defendant Keerat Lal was a sworn law enforcement officer employed by the California Highway Patrol. He is sued in his individual and official capacities.

## STATEMENT OF FACTS

11. In April 2014, Kamree Miller accompanied her father to the California Highway Patrol ("CHP") division at 5001 Blum Road, Martinez, CA 94553 to retrieve his vehicle that had been towed.

12. At the designated counter, Ms. Miller encountered sworn CHP officer Frank Meranda, who collected her contact information, which included her cell phone number, on forms she was required to fill out to have the vehicle returned.

13. Officer Meranda asked her to provide him with her email address. The forms did not ask for an email address, and he compelled this information without lawful reason or cause.

14. Officer Meranda acquired Ms. Miller's cell phone number from the forms and called her immediately after she left the building. He said inappropriate and unwanted things to her about her physical appearance and insisted that she keep in touch with him.

15. Officer Meranda began calling Ms. Miller several times a day from different numbers associated with CHP.

16. Officer Meranda also began emailing Ms. Miller regularly using the email address he had asked her to provide him when she filled out official forms for the return of her father's vehicle.

17. All calls and emails were initiated from CHP phones and email addresses.

18. Ms. Miller was not interested in a personal relationship with Officer Meranda, but she felt pressured to continue her conversations with him. Officer Meranda would call each day and if she did not answer, he would call again.

19. On average, he called her two to five times a day.



1           20.    Ms. Miller would answer the calls in an effort to end his incessant calling.  
2   Eventually, she began using a feature on her phone to block the CHP number that he  
3   used, but Officer Meranda would then begin calling from a different CHP phone  
4   number.

5           21.    Officer Meranda would email Ms. Miller regularly. At first, Ms. Miller  
6   would send him responses, often brief. But she attempted to avoid all communication  
7   with Officer Meranda after his email on January 21, 2015.

8           22.    In Officer Meranda's January 21, 2015, email, sent from his CHP email  
9   address, Officer Meranda sent a nude photograph of himself with his genitals exposed.

10          23.    It appeared that he took the photographs in a public bathroom while on  
11   duty.

12          24.    When Ms. Miller did not respond to his sexually explicit email, he emailed  
13   her to insure that she saw the picture and offered to send it again. He continued to  
14   email her regularly from his CHP email address and call her from CHP phone numbers,  
15   despite her failure to respond.

16          25.    After some time, Officer Meranda eased off his efforts to contact Ms.  
17   Miller.

18          26.    On or about, December 4, 2016, Ms. Miller entered a shopping center in  
19   Brentwood, California, where she saw Officer Meranda in the parking lot.

20          27.    Ms. Miller drove to the other end of the parking lot and entered a baby  
21   clothing store to shop for her baby daughter.

22          28.    Officer Meranda followed her across the parking lot and into the clothing  
23   store, where he confronted her and hugged her, uninvited.

24          29.    Officer Meranda commented on the vehicle she was driving.

25          30.    He stayed for a brief time and then left the store. Officer Meranda  
26   immediately began emailing and calling her again. He again called two to five times a  
27   day until Ms. Miller changed her phone number.  
28

1           31. The harassing communications from Officer Meranda ceased only after  
2 Ms. Miller sent an email purporting to be from her husband. In the email, Ms. Miller, in  
3 the voice of her "husband," told Officer Meranda to stop contacting her.

4           32. On July 19, 2017, California Highway Patrol Sergeant Keerat Lal called  
5 Ms. Miller's boyfriend, who was the registered owner of the car that Ms. Miller was  
6 driving in the parking lot when she encountered Officer Meranda in December.

7           33. Sergeant Lal referred to Ms. Miller's boyfriend as her husband, indicating  
8 that Officer Meranda had discussed with him the email sent by Ms. Miller where she  
9 had taken on the guise of her own husband to end Officer Meranda's contact.

10          34. Sergeant Lal told Ms. Miller's boyfriend that Ms. Miller was having an  
11 affair with Officer Meranda.

12          35. On information and belief, Sergeant Lal could not have known the identity  
13 of Ms. Miller's boyfriend without using CHP resources to conduct an unlawful search of  
14 Ms. Miller's property and to unlawfully surveil Ms. Miller.

15          36. Sergeant Lal attempted to intimidate Ms. Miller's boyfriend and  
16 demanded that he intervene in what he characterized as illicit activity initiated by Ms.  
17 Miller.

18          37. When Ms. Miller got on the phone with Sergeant Lal, he changed his tone  
19 and told Ms. Miller that she would need to come in for an interview regarding her  
20 relationship with Officer Meranda.

21          38. When Ms. Miller attempted to follow up with Sergeant Lal to schedule an  
22 interview through counsel, she was told that she could not make a complaint against  
23 Officer Meranda with the assistance of counsel.

24          39. On information and belief, Sergeant Lal did not initiate any investigation  
25 into the conduct of Officer Meranda once he knew that Officer Meranda had conducted  
26 illegal acts with respect to Ms. Miller, despite his duty to do so according to CHP policy.  
27  
28



**EXHAUSTION OF ADMINISTRATIVE RELIEF**

40. On January 18, 2018, Kamree Miller submitted a claim pursuant to California Government Code section 910 *et seq.*

41. On February 14, 2018, the Government Claims Program sent a letter acknowledging receipt of Ms. Miller's claim.

42. Response under California Government Code section 913 was due March 5, 2018. No response was provided. Ms. Miller therefore proceeds with her action pursuant to California Government Code section 945.6(2).

**FIRST CLAIM FOR RELIEF  
UNREASONABLE SEARCH IN VIOLATION OF FOURTH AND  
FOURTEENTH AMENDMENTS**

(By plaintiff against defendants Keerat Lal and Frank Meranda.)  
(42 U.S.C. § 1983)

43. Plaintiff incorporates by reference paragraphs 1 through 42 above as though fully set forth herein.

44. By virtue of the foregoing, defendants Keerat Lal and Frank Meranda acted under color of law when they searched the property of Kamree Miller without lawful justification and deprived plaintiff of her right under the Fourth and Fourteenth Amendments to the United States Constitution to be free from unreasonable searches.

45. Further, by virtue of the foregoing, defendant Keerat Lal failed in his duty to report the unlawful conduct of defendant Frank Meranda that he had learned about and participated in, thus failing to intervene in defendant Frank Meranda's unlawful conduct, as required by CHP policy.

**SECOND CLAIM FOR RELIEF  
VIOLATION OF THE EQUAL PROTECTION CLAUSE OF THE  
FOURTEENTH AMENDMENT**

(By plaintiff against defendant Frank Meranda.)  
(42 U.S.C. § 1983)

46. Plaintiff incorporates by reference paragraphs 1 through 45 above as though fully set forth herein.

47. By virtue of the foregoing, defendant Meranda's sexual harassment of Kamree Miller while he was acting in his capacity as a sworn peace officer constituted

unequal treatment based on her gender and/or sex and therefore violated her right to Equal Protection under the Fourteenth Amendment.

**THIRD CLAIM FOR RELIEF  
INVASION OF PRIVACY IN VIOLATION OF CALIFORNIA CONSTITUTION**

(By plaintiff against defendants Frank Meranda and Keerat Lal.)

(Article 1, Section 1)

48. Plaintiff incorporates by reference paragraphs 1 through 47 above as though fully set forth herein.

49. By virtue of the foregoing, defendants Frank Meranda and Keerat Lal violated the right to privacy guaranteed by the California Constitution when they searched Kamree Miller's property without lawful justification and when they acted upon the information acquired by the unjustifiable invasion of privacy.

**FOURTH CLAIM FOR RELIEF  
VIOLATION OF CALIFORNIA BANE ACT**

(By plaintiff against defendants Frank Meranda and Keerat Lal.)

(California Civil Code § 52.1)

50. Plaintiff incorporates by reference paragraphs 1 through 49 above as though fully set forth herein.

51. By virtue of the foregoing, defendants Frank Meranda and Keerat Lal interfered by threats, intimidation, or coercion with the rights of Kamree Miller secured by the Constitution of the United States and the Constitution of the State of California.

**FIFTH CLAIM FOR RELIEF  
STALKING**

(By plaintiff against defendant Frank Meranda.)

(Cal. Civ. Code § 1708.7)

52. Plaintiff incorporates by reference paragraphs 1 through 51 above as though fully set forth herein.

53. By virtue of the foregoing, defendant Frank Meranda engaged in a pattern of conduct with the intent to harass plaintiff.

54. By virtue of the foregoing, defendant Frank Meranda caused plaintiff substantial emotional distress. Defendant Frank Meranda's conduct would have caused a reasonable person to suffer substantial emotional distress.

55. By virtue of the foregoing, defendant Frank Meranda engaged in conduct



1 that constituted a credible threat with the intent to place plaintiff in reasonable fear for  
2 her safety by using his position as a law enforcement officer and his official email and  
3 phone to harass plaintiff.

4 **SIXTH CLAIM FOR RELIEF**  
5 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
6 (By plaintiff against defendants Frank Meranda and Keerat Lal.)  
7 (California Common Law)

8 56. Plaintiff incorporates by reference paragraphs 1 through 55 above as  
9 though fully set forth herein.

10 57. By virtue of the foregoing, defendants Frank Meranda and Keerat Lal  
11 committed outrageous conduct in the course of the harassment of plaintiff with the  
12 intent to cause or with the reckless probability that plaintiff would suffer emotional  
13 distress, and because of this conduct, plaintiff did suffer emotional distress.

14 **DAMAGES**

15 58. As a result of the actions of defendants, plaintiff has been injured and  
16 have suffered damages as follows:

17 a. She has been mentally and emotionally and financially injured and  
18 damaged as a proximate result of the wrongful actions of the public employees named  
19 above, and others;

20 b. In taking the actions alleged above, defendants Frank Meranda and  
21 Keerat Lal engaged in conduct that was malicious, oppressive, and in reckless disregard  
22 of the rights of plaintiff. Accordingly, plaintiff is entitled to punitive damages against  
23 defendants Frank Meranda and Keerat Lal.

24 WHEREFORE, plaintiff requests that this Court grant her relief as follows:

- 25 (1) General damages, in an amount to be determined;  
26 (2) Special damages, in an amount to be determined;  
27 (3) Punitive damages, in an amount to be determined;  
28 (4) Reasonable attorney's fees under 42 U.S.C. § 1988;  
(5) Injunctive relief;



1 (6) Costs of suit; and

2 (7) Such other and further relief as the Court may deem proper.

3  
4 **DEMAND FOR TRIAL BY JURY**

5 Plaintiff hereby demands a jury trial as provided by Rule 38(a) of the Federal  
6 Rules of Civil Procedure.

7  
8 Dated: December 4, 2018

9 SIEGEL, YEE & BRUNNER

10  
11 By 

12 Emily Rose Johns

13 Attorneys for Plaintiff  
14 Kamree Miller  
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